

PROCEEDINGS OF THE COMMON COUNCIL  
IN REGULAR SESSION  
TUESDAY-SEPTEMBER, 28, 1976

CITY OF FORT WAYNE, INDIANA  
JOURNAL OF THE PROCEEDINGS  
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council

Chambers Tuesday evening September 28 A.D., 1976, in  
Regular Session. President James S. Stier in the chair,  
and Charles W. Westerman Clerk, at the desk, present the following  
members \_\_\_\_\_ viz:

BURNS ✓, HINGA ✓, HUNTER ✓,

MOSES ✓, NUCKOLS ✓, DONALD SCHMIDT ✓,

VIVIAN SCHMIDT ✓, STIER ✓, TALARICO ✓,

ABSENT \_\_\_\_\_

COUNCILMAN \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,

The invocation was given by \_\_\_\_\_

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Received report from the City Controller for the month of \_\_\_\_\_,  
1976. Motion made and carried that report be made a matter of record and placed  
on file.

The minutes of the last Regular \_\_\_\_\_, 1976,  
Special \_\_\_\_\_, 1976,

Session having been delivered to the Council, were, on motion, approved and  
published.



FORT WAYNE, INDIANA 46802

office of the mayor

September 15, 1976

To the Common Council  
Gentlemen and Mrs. Schmidt:

Today, September 15, 1976, I have approved the following ordinances passed by the Common Council at its regular meeting of September 14, 1976.

(Bill No. R-76-09-04)  
RESOLUTION NO. R-70-76

A RESOLUTION transferring certain funds in the 1976 Budget of the Office of Emergency Services Department

(Bill No. R-76-09-05)  
RESOLUTION NO. R-71-76

A RESOLUTION transferring certain funds in the 1976 Budget of the Controller Department

(Bill No. R-76-09-06)  
RESOLUTION NO. R-72-76

A RESOLUTION authorizing payment to Auto Collision Service for repair of Board of Works Vehicle and to Allen County Motors for repair of Board of Public Safety Vehicle

(Bill No. Z-76-05-16)  
( AS AMENDED )  
ZONING MAP ORDINANCE NO. Z-12-76

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B12

(Bill No. Z-76-07-31)  
ZONING MAP ORDINANCE NO. Z-13-76

MADE A MATTER OF RECORD  
DATE 9-21-76 CHARLES W. WESTERMAN, CITY CLERK

AN EQUAL OPPORTUNITY EMPLOYER



AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA-14

(Bill No. S-76-08-11)  
SPECIAL ORDINANCE NO. S-153-76

AN ORDINANCE approving a contract with NORTH EASTERN CONSTRUCTION CO.,  
INC. for materials for the BOARD OF PUBLIC WORKS

( Bill No. S-76-08-12)  
SPECIAL ORDINANCE NO. S-154-76

AN ORDINANCE approving a contract with CONTINENTAL CONSTRUCTION CO.,  
INC. for materials for BOARD OF PUBLIC WORKS

( Bill No. S-76-08-13)  
SPECIAL ORDINANCE NO. S-155-76

AN ORDINANCE FURTHER AMENDING AMENDED SPECIAL ORDINANCE S-84-76

Respectfully yours,

A handwritten signature in dark ink, appearing to read "Robert E. Armstrong", written in a cursive style.

Robert E. Armstrong  
Mayor



## THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING  
division of long range planning and zoning

September 28, 1976

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-76-07-14

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed  
this 28th day of September, 1976

Joseph N. Adair  
Secretary

MADE A MATTER OF RECORD  
DATE 9-28-76 CHARLES W. WESTERMAN, CITY CLERK





## THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING  
division of long range planning and zoning

September 28, 1976

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held September 27, 1976. In addition to the reasons outlined in the resolution the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-76-07-14
2. From "R3" to "B1B"
3. Intended Use: Restaurant
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. This request is a compatible use in relation to the immediate area. The high volume of traffic and noise on Spy Run no longer makes this frontage desirable for residential use.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning  
and Zoning

  
Gary F. Baeten  
Land Use Administrator

GFB/jg  
ATT.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 13, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-07-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

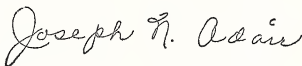
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 20, 1976;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 27, 1976.

Certified and signed this  
28th day of September, 1976



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Joseph N. Adair  
Secretary



## COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

September 28, 1976

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Fort Wayne Corporate Limits. The proposed ordinance is designated as:

Bill No. X-76-09-26

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
27th day of September, 1976.

Joseph N. Adair  
Secretary

MADE A MATTER OF RECORD

DATE 9-28-76 CHARLES W. WESTERMAN, CITY CLERK





## THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING  
division of long range planning and zoning

September 27, 1976

Members of the Common Council  
City- County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to an Annexation Ordinance acted upon by the City Plan Commission at their regular meeting held September 27, 1976. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

This ordinance received a DO PASS recommendation for the following reasons:

- a.) This ordinance was introduced by a petition for voluntary annexation.
- b.) This area is contiguous to the city on its western and northern boundary.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning and  
Zoning

  
\_\_\_\_\_  
John Jay Snyder  
Asst. Planner





RESOLUTION OF ANNEXATION AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 27, 1976, referred a proposed annexation amendment to the City Plan Commission which proposed ordinance was designated as Bill No. X-76-09-26; and,

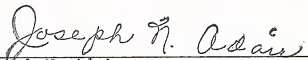
WHEREAS, the City Plan Commission reviewed such proposed ordinance on September 27, 1976;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that the advantages to the City would outweigh the disadvantages in that the City should continue to realize a normal, active growth from the stand point that normal development will take place around the City whether the City wants it or not. This annexation will be in the best interest of and a benefit to the area involved and of and to the city, and the annexation will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 27, 1976.

Certified and signed this  
27th day of September, 1976.

  
\_\_\_\_\_  
Joseph N. Adair  
Secretary

September 16, 1976

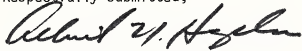
President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety  
Regulatory Resolution Numbers: 74/76/E.

For the purpose of enforcement, please make this communication and the  
attached Regulatory Resolutions a matter of record and incorporate them  
into the minutes of the next Common Council Meeting.

Respectfully submitted,



Director of Public Safety

MADE A MATTER OF RECORD  
DATE 9-28-76 CHARLES W. WESTERMAN, CITY CLERK

REGULATORY RESOLUTION NO. 74/76/E

(Adopted September 16 , 19 76.)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY) RENEW & EXTEND RESOLUTION 60/76/E

\_\_\_\_\_ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated September 16, 19 76, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55, adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective September 16,

19 76, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

NO PARKING (EMERGENCY)

McArthur Dr. -- both sides -- from Old Trail Rd. to the railroad tracks west thereof

RETURN CERTIFICATE

(REGULATORY RESOLUTION NO. 74/76/E)

I hereby certify that I did this 16 day of September, 1976 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk, and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 74/76/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55. Adopted Feb. 14, 1961.

A handwritten signature in blue ink, reading "John C. Koster", is written over a horizontal line.

EXECUTIVE SECRETARY

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 28th day of September, 1976; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 1976.

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Charles W. Westerman  
City Clerk